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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/557,708	04/25/2000	Christopher A. S. Gage	RSW9-2000-0039-US1	8638

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EXAMINER

SHINGLES, KRISTIE D

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 04/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 09/557,708	Applicant(s) GAGE ET AL.	
	Examiner Kristie Shingles	Art Unit 2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2006.
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-27 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment
Claims 1-27 are pending.

Response to Arguments

1. In view of the Appeal Brief filed on 1/17/2006, PROSECUTION IS HEREBY REOPENED.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is a non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendment, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

2. Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

3. Claims 1, 12 and 22 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action. Claims 2-6, 9,

Art Unit: 2141

13-17 and 23-27 depend from claims 1, 12 and 22 and are allowable due to their dependence on allowable independent claims.

4. The following is a statement of reasons for the indication of allowable subject matter: in independent claims 1, 12 and 22, the token inserted into the URL comprises at least an identifier for the selected server, a date/time stamp, and a key, wherein the key is used for accessing a server-side storage area for information regarding the persistent relationship and the end user device.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

6. **Claims 1, 12 and 22** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 12 and 22 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships preceding the insertion of the token into the URL are:

- a. how the user accesses the server using a URL when it is the dispatcher that receives the request from the user;
- b. how the dispatcher communicates with the servers—the establishment of communication means between the dispatcher and the servers;

Art Unit: 2141

- c. forwarding the request or URL from the dispatcher to the selected server in order for the server to fulfill the request;
- d. how the request for information relates to the URL—is the request synonymous with the URL, does the request include the URL, etc.

The Examiner suggests modifying the claim language to incorporate these relationships in order to provide clarity and cohesiveness among the elements of the invention.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 7 and 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Courts et al* (6,076,108) in view of *Bellemore et al* (6,088,728).

a. **Referring to claim 7**, *Courts et al* teach a method of routing a request by an end user device to a particular one of a plurality of redundant servers residing behind a network dispatching mechanism (column 3, lines 5-7 and column 6, line 5), said methods comprising the steps of: receiving, at the network dispatching mechanism, a request for information indicated by a uniform resource locator (URL) (column 5, lines 66-67); further determining, at the network dispatching mechanism, if a session binding is old (column 6, line 45); forwarding, by said network dispatching mechanism, the request, including the URL, to the particular server (column 3, lines 5-7 and column 6, line 5); removing, by said particular server, said valid routing

Art Unit: 2141

information from the URL; storing, by said particular server, where said valid routing information can be accessed subsequently by an outbound data stream filter during the processing of an outbound reply related to said request (column 1, lines 48-53); accessing, by said particular server, a storage location where information regarding a session between the particular server and the end user device is stored (column 1, lines 52-55).

Courts et al. does not teach of tokens and inserting, by said particular server, said session information into said request and accessing, by said particular server, a server-side storage location where session information regarding a session between the particular server and the end user device is stored. However, *Bellemore et al* teach the incorporation of session information in the queries received by the clients (column 4 lines 21-43, column 8 lines 6-38, column 12 lines 55-67, column 16 lines 10-66, column 17 lines 14-54) and server-side storage where information about the session and the user is stored (column 2 lines 2-50, column 6 line 47-column 7 line 7, column 13 lines 43-64).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the method for maintaining a state for a user session using a global session server by *Courts et al* by having a routing token and inserting, by said particular server, said session information into said request because this notifies the system of the type of encryption information to use to encrypt the packet and the validity of the packet and the server knows what type of information the client is authorized or prefers to receive. Furthermore, it would have been obvious to provision the server-side storage area for maintaining information regarding the persistent relationship and the end user device because this allows a client to later access a server and continue a previous session based off of the stored session information.

b. **Claim 18** contains limitations that are substantially equivalent to claim 7 and is therefore rejected under the same basis.

9. **Claims 8 and 19** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Courts et al* (6,076,108) and *Bellemore et al* (6,088,728), further in view of *Colby et al* (6,006,264).

a. **Regarding claim 8**, *Courts et al* and *Bellemore et al* teach the method and computer program product of claims 7 and 18 as applied above. *Courts et al* and *Bellemore et al* teach accessing the server using a URL (column 5 lines 66-67 of *Courts et al*), yet fail to explicitly teach filtering of the URL is done prior to the forwarding.

However *Colby et al* teach wherein additional filtering of the URL is done prior to the forwarding step (column 12, lines 6-7). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the method for maintaining a state for a user session using a global session server by *Courts et al* in view of *Bellemore et al*, by filtering because this helps to authenticate the information more and also to retrieve more needed information from the packet.

b. **Claim 19** is substantially equivalent to claim 8 and is therefore rejected under the same basis.

10. **Claims 10 and 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over to *Kunzelman et al* (6,041,357) and *Courts et al* (6,076,108) in further view of *Bellemore et al* (6,088,728).

a. **Regarding claim 10**, *Kunzelman et al* teach a method of sending information to a requesting end user from an application over a session wherein said application resides at one of a plurality of redundant servers, said method comprising the steps of: receiving response information from said application, said response information including a URL (uniform resource locator) (column 2, lines 35-44 and 55-56 and column 5, lines 1-14 and 25-37); determining if a key cookie has been used for storing session information between said end user and said application; if a key cookie has been used for storing session information, retrieving a session key from said key cookie; if a key cookie was not used for storing session information, retrieving said session key from a control block removing all cookies from said response information; storing said removed cookies in a predetermined storage area; updating a date/time stamp in said sticky routing string inserting said sticky routing string into said URL; and transmitting said response information, including said URL, to said end user (column 2, lines 55-57 and column 5, lines 38-62 and column 6, lines 43-57).

Kunzelman et al fail to teach a network dispatcher or a sticky routing string. However, *Courts et al* teach redundant servers residing behind a network dispatcher (column 3, lines 5-7 of *Courts et al.*) updating said URL to indicate the removal of said cookies (column 1, lines 55-56 of *Courts et al.*); creating a sticky routing string (column 6, lines 6-8 of *Courts et al.*). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the method for dynamic use and validation of http cookies for authentication of *Kunzelman et al* by having a network dispatcher or a sticky routing string because a dispatcher is needed to pass the packet to the server and sticky routing strings to help route request from the same client to the same server.

Kunzelman et al in view of *Courts et al* fail to teach predetermined server-side storage area or server-side key cookie. However, *Bellemore et al* teach server-side storage where information about the session and the user is stored (column 2 lines 2-50, column 6 line 47-column 7 line 7, column 13 lines 43-64) and server-side key cookies realized by the server software command and handle, that transfer session data and session changes to the server wherein the handle is used to identify and refer to session information stored in the session data storage (column 7 lines 2-7 and column 7 line 27-column 8 line 56, column 11 lines 37-50). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the method for dynamic use and validation of http cookies for authentication of *Kunzelman et al* in view of *Courts et al* by having a predetermined server-side storage because this allows a client to later access a server and continue a previous session based off of the stored session information and by having a server-side key cookie because this allows the user to utilize multiple client devices in the same client-server session.

b. **Claim 20** contains limitations that are substantially equivalent to claim 10 and is therefore rejected under the same basis.

11. **Claims 11 and 21** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kunzelman et al* (6,041,357), *Courts et al* (6,076,108) and *Bellemore et al* (6,088,728), and further in view of *Colby et al* (6,006,264).

a. **Regarding claim 11**, *Kunzelman et al*, *Courts et al* and *Bellemore et al* teach the method and computer program product of claims 10 and 20 as applied above. *Courts et al*, in particular, teaches said response information (column 1, lines 53-55 of *Courts et al*). Yet

Kunzelman et al, *Courts et al* and *Bellemore et al* fail to explicitly teach transmitting response information through one or more filters.

However, *Colby et al* teach wherein, prior to said determining step, said response information is transmitted from said application through one or more filters (column 12, lines 6-7). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the method for dynamic use and validation of http cookies for authentication by *Kunzelman et al*, *Courts et al* and *Bellemore et al* by filtering, because this helps to authenticate the information more and also to retrieve more needed information from the packet.

b. **Claim 21** is substantially equivalent to claim 11 and is therefore rejected under the same basis.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Farber et al (6185598), Devine et al (6968571), Baker et al (6956845), Ford (6,829,356), Williams (6,591,272), Lavey Jr. et al (6,023,698), Belkin (6944666), Saigo et al (6,587,880).

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

Art Unit: 2141

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday-Friday 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie Shingles
Examiner
Art Unit 2141

kds


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER